



Justice Reinvestment Oversight Board

Location: Remote Meeting

Date: January 7, 2021

Time: 1:00 P.M. - 3:00 P.M.

Meeting Minutes:

- I. Call to Order
- II. Agency Updates

A. Maryland Department of Health - John Robison

- Between October 1 and December 31 MDH completed 186 evaluations and placed 99 individuals into treatment.
- There was a 13 day cycle time representing a slight uptick by 3 days which was all related to Covid-19 outbreaks with providers. Providers provide daily updates on beds and quarantines.

B. Administrative Office of the Courts - Chief Judge Morrissey and Judge Cox

- See attached presentation.
- The Judiciary has a 5 part Covid-19 plan which ensures that core functions like bail reviews and domestic violence hearings can continue
- Due to the rapid increase in cases, we are back in phase 2 through March 14
 - Certain trials are still conducted in phase 2, including domestic violence dockets. Courts that can handle other matters, especially remotely, are encouraged to do so.
- The Judiciary has done a great job pivoting to remote work. We have conducted over 14,400 meetings since the summer.
- The Judiciary is continuing to do bail reviews, preliminary hearings, competency and emergency evaluation, risk and peace orders, accept guilty pleas, and trying to limit the jail population. Still working with MDH for competency.
- Problem solving courts continue to operate.
- Appellate courts pivoted to remote platforms and are doing well managing their dockets

- Significant differences between district and circuit courts. Jury trials pose a challenge for Circuit Court.
- Tremendous collaboration across the court system, with MDH, local detention centers and other partners.

C. Local Detention Centers - Major T.D. Reece

- Regular wardens' calls and collaboration with partners which has been very helpful.
- MDH and local detention centers have been doing a good job getting inmates into state hospitals when necessary, however this population is increasing.
- Facilities are working to quarantine and test as needed to keep everyone safe before moving into the general population.
- Work release is still very limited right now with just a few weekend programs where possible.
- Commissioners are working to have people held in the county of arrest to avoid unnecessary transportation to help mitigate covid risk.
- Remote court hearings are working well and we hope they can continue post-pandemic.
- From November 2019 - October 2020 the local detention center population decreased over 10%.
- Inmates in non-confinement up 40%, home detention up 40%
- Discussion
 - Question regarding facilities not able to provide remote attorney/client meetings. Noted that funding, and most significantly, space within facilities create challenges for local detention centers. With mitigation measures, remote hearings and privacy concerns, there is often limited space for other remote meetings. Everyone will continue to collaborate to address these concerns.
 - Question regarding increasing pretrial detention population and use of pretrial services programs. Many pretrial defendants are being held on serious charges and are thus not eligible for pretrial services in many jurisdictions. Furthermore, with fewer arrests overall, those being brought into detention facilities are usually individuals with more severe charges.
 - Question regarding home monitoring and associated costs. Major Reece responded that there are differences across jurisdictions and can share data. Generally, only individuals

on electronic monitoring are charged a fee to cover the cost to the county of the monitoring service.

D. Governor's Office of Crime Prevention, Youth, and Victim Services - Director Glenn Fueston

- The Office oversees about \$200 million of state and federal and grant dollars. Notices of Funding Availability are used to disperse funds with prioritization for programs that support the goals of JRA. Proposals aimed at reduction of jail populations and supporting returning citizens are encouraged.
- The office also collects data to demonstrate success of programs and show the impact of the grant dollars. This also helps support and document evidence based programs.
- Regarding the Performance Incentive Grant Fund:
 - Extensions granted through June 30th for fiscal year 2020 grantees because of the impact the coronavirus pandemic has had on operations. Current grantees will have this additional time to utilize the remaining funds and close out the grants as they had planned. This is something we have done for many of our programs due to the pandemic.
- Welcome back to Chris Shank who helped shepherd JRA into law. Chris Shank will be the governor's liaison to this board.

III. Expungement and Restitution Workgroup Updates - Daniel Atzmon

- Workgroups are in their early stages. Both groups have met twice.
- Thank you to Judge Cox for her leadership of the Restitution Workgroup which is quickly moving towards a consensus on a few recommendations to improve the system. The group has made progress exploring Central Collections, IT systems, and other models to help improve communication and increase collection rates. The next meeting is on January 22 and I anticipate the group will advance items for the Oversight Board to consider.
- Thank you to Chief Judge Morrissey and his team for a great presentation at our last Expungement Workgroup meeting. The group is working on fact finding to help understand the complex process and technical challenges and to identify 'low hanging fruit' to move towards

consensus based recommendations. Our next meeting, likely in February will focus mostly on CJIS.

IV. Department of Public Safety and Correctional Services - Secretary Robert Green

- See attached presentation
- Secretary Green is joined by Assistant Secretary Scruggs, Chief of Staff Rachel Sessa, and Director of Data Development Angelina Guarino.
- The safety and security of our institutions and the men and women who live and work in the environment is our number one priority.
- The department began mitigation efforts early in March and works closely with MDH, the Judiciary and many other partners.
- The already complex work of running 23 facilities around the state has become much more complex due to the pandemic.
- Utilization of diversion to decrease density has been a key element of our mitigation strategy
 - The department operates its own home detention program at no cost. DOC approves and has been expediting placements which have increased 155%.
- Pretrial supervision
 - DPSCS is responsible for the Baltimore City jail which has a strong pretrial program that provides recommendations to the court regarding pretrial release. The program is nationally recognized with low failure to appear and violation rates. The pretrial program has grown 160% since March.
- Density reductions for March 2020 - Jan 2021
 - 15,487 releases from system
 - 4697 released from city booking
 - 5437 released from pretrial prior to sentencing
 - 955 transferred from facilities into home detention
 - 4398 released from sentenced custody
- Release planning has not stopped. Substantial additional effort to facilitate reentry during this difficult time. 94.7% of individuals released with home plans thanks to the extremely dedicated cadre of social workers, case managers and reentry staff

- Maryland has been at the forefront of reducing the incarcerated population. Average Daily Population declined nearly 12 times more compared to same time last year and now stands at just over 18,000 representing an 11.7% population decrease, mostly in DOC. Very stable population in Baltimore City jail.
- Department has dramatically expanded testing protocols and has administered over 90,030 tests
- As staff is the greatest vector of exposure, PPE was issued to everyone very early
- Angelina Guarino has developed a data management program to assist with all this work.
- Public, transparent information published Monday and Friday online showing positive cases among inmates and staff. 18 deaths due to Covid-19 with postmortem testing to ensure accuracy and transparency.
- Sanitation and deep cleaning protocols are in place.
- Compliance review teams conduct random inspections to ensure accountability and safety.
- 2 surge tents in Jessup and Hagerstown areas have helped reduce hospital stays.
- Vaccine roll out has begun. Corrections included in phase 1A, including our 1200 medical personnel. 1B includes inmates 75+. The department is operating its own clinics around the state.
- In 2020 DPSCS hired more staff than any year since 2014. Total of 793 new employees with hopes to surpass that in 2021.
- Discussion
 - Question regarding space concerns and transport to state facilities at local detention centers. DPSCS is willing and able to assist and is actively transporting inmates from across the state at regular intervals.
 - Question regarding vaccination and reopening for instructors in facilities. DPSCS is following MDH guidance and expects to get to teachers soon and will keep everybody informed. The Department of Labor has done a great job keeping education going throughout the pandemic.
 - Question regarding the Women's Pre-release Center and related legislation. While the department is hesitant to comment on any legislation, these issues were addressed in a recent report we will share. In addition, there have been substantial reductions in the female population. Since March 1, over 3000 releases representing a 27% reduction. Women are now 3.9% of the population and have made up 20% of releases since March.
- Question for Delegate Dumais regarding the upcoming General Assembly Session

- The plan is to split time on the floor and connect everyone remotely. The House will adopt rule changes so legislators don't need to be on the floor everyday. All bill hearings will be remote and testimony can be uploaded electronically.
- The Senate will limit the number of witnesses, the House has not done that yet.
- Testing protocols in place with an app for covid screening to get into building. Buildings are closed to the public. Meetings with people in offices require appointments and staff encouraged to work remotely.
- The Senate is a little different. As it's easier to socially distance, desks have been moved apart and plexiglass installed. Everything will be livestreamed and Senators will be present but committee hearings will be done remotely.
- Delegate Dumais is putting in the geriatric parole bill again. It is a little different from the Board's previous recommendation.
- Parole reform that removes the governor from the process will be championed by Chair Clippinger.

V. Next Meeting

- Last year, due to the pandemic disruption, the board was only able to meet three times. This year, we hope to fit in an extra meeting to help address all of the pressing issues facing our justice system.

VI. Good of the Order & Adjournment